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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,972	07/31/2001	Kurt A. Dobbins	110197.163	3787

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WILMER CUTLER PICKERING HALE AND DORR LLP
60 STATE STREET
BOSTON, MA 02109

EXAMINER

DAVIS, ZACHARY A

ART UNIT PAPER NUMBER

2137

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/918,972	DOBBINS ET AL.	
	Examiner	Art Unit	
	Zachary A. Davis	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 13-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Claims 1-12 (Group II) in the reply filed on 31 August 2005 is acknowledged.
2. Claims 13-25 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 31 August 2005.

Drawings

3. The drawings are objected to because Figures 2-11 do not include any reference characters. Although they are not required, reference characters (e.g. numerals) in the drawings and reference to the various elements of the drawings by reference numeral in the specification would add clarity to the disclosure. Further, Figure 9A includes a reference character "B" (indicating a connection in the flow chart) that does not have a corresponding character elsewhere in the flowchart. Similarly, Figure 9B includes a reference character "A" that does not correspond to another character in the flowchart. Additionally, Figure 9B includes a label "Return to Previous"; this is not clear as to which previous step the flowchart is intended to return. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid

abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities: Although the Brief Description of Drawings makes mention of every drawing figure, there is not a specific description of what each figure depicts.

Appropriate correction is required. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors.

Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the subscriber" in line 6 of the claim. There is insufficient antecedent basis for this limitation in the claim, although it appears that it is intended to refer to "the user". Claims 2-10 are rejected due to their dependence on rejected Claim 1.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Rajan et al, US Patent 6725425.

In reference to Claim 1, Rajan discloses a method including receiving a request from a user to access a source of content resources (column 6, lines 21-24; column 23, lines 66-67), determining that the user is authorized for access (column 6, lines 24-25; column 23, line 67-column 24, line 2), generating content access rules (column 20, lines 29-32), processing the rules to generate a portal web page based on content element data applicable to the user (column 6, lines 41-58), and returning the portal web page to the user (column 6, lines 24-28).

In reference to Claim 2, Rajan further discloses determining if the user has subscribed to content resources (column 6, lines 9-20).

In reference to Claims 3 and 5, Rajan further discloses determining whether the user is an authorized user using an IP address and switch (see column 5, lines 55-59).

In reference to Claim 4, Rajan further discloses that the portal web page includes links to content resources to which the user has subscribed (column 6, lines 45-50).

In reference to Claims 6-8, Rajan further discloses that the content element data can specify content type, billing information, or location information (column 6, lines 50-55; column 9, lines 40-47).

In reference to Claim 9, Rajan further discloses allowing the user to make a subscription change (column 7, lines 30-34).

In reference to Claim 10, Rajan further discloses blocking another user's access based on external authorization information (see column 18, lines 39-49).

In reference to Claim 11, Rajan discloses a method including generating a first portal web page for a first user based on subscription information for the first user and generating a second portal web page for a second user based on subscription information for the second user (column 5, line 66-column 6, line 8, where portal pages are individualized for a particular user).

In reference to Claim 12, Rajan further discloses basing the generation of portal web pages on rule information (column 20, lines 29-32).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - a. Anuff et al, US Patent 6327628, discloses a portal server providing several network resources that a user can access through a portal site.
 - b. Gervais et al, US Patent 6381579, discloses a portal that organizes access to applications.
 - c. Howard et al, US Patent 6697865, discloses a portal application that includes generation of access rules.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary A. Davis whose telephone number is (571) 272-3870. The examiner can normally be reached on weekdays 8:30-6:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


ZAD


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER